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ABSTRACT

This report provides data on the State of Delaware's performance goals and indicators for children with disabilities, their participation in assessments, the rate of long-range suspensions and expulsions, and disproportionalities based on race in identification and placement. The report is intended to serve as a baseline for future reporting on the state's use of federal funds under the Individuals with Disabilities Education Act Part B. The first section identifies three broad goals and then specifies 18 performance indicators. These indicators are then specifically discussed. Discussion of indicators concerned with the state's assessment of progress focuses on participation in assessments, the Delaware Alternate Portfolio Assessment, student performance on the Delaware Student Testing Program (tables detail student outcomes by test and grade), number of graduates, and number of dropouts. This is followed by discussion and tables about long range suspensions and expulsions of students with disabilities and numbers of children served in various educational settings. The final section offers data and analysis of disproportionality based on race including identification of children with disabilities in general and with specific disabilities by race/ethnicity and placement of children in particular educational settings by race/ethnicity. A final table summarizes activities and expenditures for IDEA Part B, fiscal years 98 and 99. (DB)

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Biennial Performance Report (FY 98, 99) for Part B of the Individuals with Disabilities Education Act

State of Delaware

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Delaware Department of Education
January, 2000

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Introduction

This document is in response to Education Department General Administration Regulation (EDGAR) 34 CFR §80.40. The FY 1997-1998 and FY 1998-1999 Biennial Performance Report reports the State of Delaware's performance goals and indicators for children with disabilities, their participation in assessments, the rate of long-range suspensions and expulsions, and an examination of disproportionality based on their race with respect to identification and placement.

This initial report serves as a baseline for future reporting on Delaware's use of Part B funds and as a means of reporting to the public the progress of all children with disabilities toward meeting state standards and performance goals and indicators.

Performance Goals and Indicators

The State of Delaware has identified the following goals:

To significantly:

a. ***Increase the percentage of students with disabilities meeting high standards of learning and educational achievement as measured by the Delaware Student Testing Program,***

b. ***Decrease achievement gaps associated with disability, and***

c. ***Increase the participation of students with disabilities in post secondary education and employment.***

(***SIG Proposal*, 1999**)

These goals clearly align with the direction adopted by the State Board of Education through the Delaware Content Standards for English language arts, mathematics, science and social studies.

Over the coming year, the Partners Council for Children with Disabilities will identify specific percentages and levels of performance for each of the areas listed on the following pages. In turn this will become the basis for future Biennial Performance Reports and Delaware's Special Education Profiles.

Goal #1: Improve the educational results of children with disabilities.

1.1.

a. The percentage of children with disabilities participating in the Delaware Student Testing Program (DSTP) with no accommodations, with accommodations, and on the Delaware Alternate Portfolio Assessment (DAPA) will increase. (Exemptions will decrease.)
b. The percentage of children with disabilities meeting the standards will increase.
c. The percentage of children with disabilities significantly below the standard will decrease.

1.2.

a. The percentage of children with disabilities completing grade 12 with a high school diploma will increase.
b. The percentage of children with disabilities receiving a diploma compared to a certificate of attendance will increase.
c. The annual dropout rate will decrease at the secondary level.

Goal #2: Improve participation in post-secondary education and employment.

2.1. The percentage of children with disabilities going on to 2 or 4-year colleges will increase.

2.2. The percentage of children with disabilities employed within 2 years of leaving school will increase.

Goal #3: Children with disabilities 14 and older will take courses and receive services that will facilitate the transition from school to work or post-secondary education.

3.1. The percentage of secondary level children with disabilities participating in vocational education will increase.

Goal #4: All children with disabilities will receive appropriate services that address their individual needs, including related services and assistive technology.

4.1.

a. The percentage of parents satisfied with their child's education will increase.
b. The percentage of parents (children) responding they were actively involved in decision-making will increase.
c. The percentages of parents (children) responding they were treated with courtesy and respect will increase.

4.2.

a. The percentage of teachers reporting that children with disabilities are receiving the services needed will increase.
b. The percentage of teachers reporting that they have sufficient instructional materials/supplies to provide FAPE will increase.

Goal #5: Schools will provide appropriate behavioral interventions for children with disabilities whose behavior impedes the learning of themselves or others.

5.1. The percentage of children with disabilities receiving long-range suspensions or expulsions will decrease.

5.2. The number of days children with disabilities are suspended will decrease.

5.3. The percentage of children with disabilities committing Title 14, *Delaware Code*, §4112 incidents will decrease.

Goal #6: To the maximum extent appropriate children with disabilities are educated with children who are non-disabled. (Corrective Action Plan requirement.)

6.1. The percentage of children with disabilities being served in placements with their non-disabled peers will increase.

State's Assessment of Progress

Delaware's effort in implementing the reform initiative, encouraging student achievement, and providing access to a high-quality education for all students represents progress. Specifically examined are goals that address the performance of children with disabilities in relation to: assessments, dropout rates, and graduation rates.

Participating in Assessments

Goal #1: Improve the educational results of children with disabilities.

1.1.

a. The percentage of children with disabilities participating in the Delaware Student Testing Program (DSTP) with no accommodations, with accommodations, and on the Delaware Alternate Portfolio Assessment (DAPA) will increase. (Exemptions will decrease.)

Progress toward improving the education of all students began in Delaware in 1991 with the advent of the reform initiative. The adoption of content standards in June of 1995, in English language arts, mathematics, science and social studies resulted in the state's current assessment program, the Delaware Student Testing Program (DSTP).

The number of students participating in the DSTP is based on total student enrollment in grades 3, 5, 8, and 10. Inclusion of as many students as possible in Delaware's statewide assessment program is a priority. Therefore, the *Delaware Student Testing Program Guidelines for the Inclusion of Students with Disabilities and Students with Limited English Proficiency, January 1, 1998 edition* was developed. These guidelines found in Appendix A, are used to determine whether a student should be tested under regular conditions, tested with accommodations resulting in an aggregated score, tested with accommodations resulting in a non-aggregated score, or exempted from the DSTP and included in the Delaware Alternate Portfolio Assessment.

The 1998 administration of the DSTP shows student participation on page 10 in Appendix B, *Delaware Student Testing Program State Summary Report 1998 Administration*. In the spring of 1998, total student enrollment in grades 3, 5, 8, and 10 of all regular and special schools was 33,691. Of the 33,691, children with disabilities represented 13%. Almost 8% of the special education students were exempt from all or part of the DSTP and 43% were tested with accommodations. (*Delaware Student Testing Program State Summary Report 1998 Administration, January 1999*)

In comparison, the 1999 administration of the DSTP shows student participation on pages 7, 101-111 in Appendix B, *Delaware Student Testing Program 1999 Administration Revised State Summary Report*. However, in the spring of 1999, total student enrollment for the 1999 administration of the DSTP (n=34,407) in grades 3, 5, 8, and 10 only included students enrolled in regular schools. Of the 34,407, children with disabilities represented 11.6%. Almost 5% of the special education students enrolled in regular schools were exempt from all or part of the test and 61% were tested with accommodations. (*Delaware Student Testing Program 1999 Administration Revised State Summary Report, December 1999*)

These findings resulted in a review of the DSTP reporting criteria for student participation. Corrective measures are being taken to assure the testing participation status of all Delaware students. Future reporting will include the following:

- Total student enrollment in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.
- Total special education student enrollment in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.
- Percentage of special education student enrollment to total student enrollment in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.
- Percentage of special education students eligible to take the DSTP in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.
- Percentage of assessed special education students testing with no accommodations in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.

- Percentage of assessed special education students testing with accommodations resulting in an aggregated score in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.
- Percentage of assessed special education students testing with accommodations resulting in a non-aggregated score in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.
- Percentage of assessed special education students with invalid scores tested under regular conditions and with aggregated or non-aggregated accommodations in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.
- Percentage of special education students exempted from the DSTP and included in the Delaware Alternate Portfolio Assessment in grades 3, 5, 8, and 10 for all Delaware schools, including special schools.

Delaware Alternate Portfolio Assessment (DAPA)

The number of children with disabilities participating in the Delaware Alternate Portfolio Assessment (DAPA) is unknown at this time. The system is currently being field tested for full implementation during the 2000-2001 school year.

The University of Delaware's Center for Disabilities Studies has provided technical assistance and logistical support to the Delaware Department of Education for the design and implementation of the "Alternate Assessment" as part of and consistent with the state's overall assessment and accountability system. Based upon an analysis of the critical issues related to alternate assessment and accountability, a process was established that permitted an increasing spiral of stakeholder involvement. Central to the process was a small working group, the Alternate Assessment Design Group, composed of teachers, administrators, related service personnel, and Department of Education staff augmented by University faculty and staff. Charged with conceptual leadership for the planning process, this group met approximately every two weeks in intensive 3-4 hour sessions to review the issues, propose decisions, and develop plans. Information sharing sessions were held in four locations throughout the state for teachers and parents to both inform them of the effects to comply with federal regulation and to solicit their views concerning the process and the content of the Alternate Assessment. To date over 115 persons have participated in the process of designing Delaware's Alternate Assessment and the Action Plan that is the culmination of the Preliminary Planning Process.

Five accountability and four assessment assumptions were formulated by the Design Group and endorsed by both the Alternate Assessment Advisory Committee and the parents and teachers attending the informational sessions.

Accountability Assumptions

1. Delaware should have one accountability system that includes all students.

2. Alternate Assessment should clearly relate to Delaware's academic Content Standards.

3. It is possible to "bridge" between Delaware's academic Content Standards and the functional curriculum that is meaningful for students with moderate to severe cognitive disabilities.

4. Alternate Assessment scores should be aggregated with those of all students for accountability process.

5. The accountability system, including Alternate Assessment, should provide data for decisions at the student, teacher, school, program, and district level.

Assessment Assumptions

1. The Alternate Assessment is only for those students who, even with appropriate accommodations, cannot meaningfully participate in the regular administration of the DSTP.

2. The IEP team, including the parent, based upon a detailed student profile, will decide participation in the Alternate Assessment.

3. Performance indicators and their assessment should clearly relate to the students' IEP objectives AND the opportunities to learn that are provided.

4. The assessment system for students in functional programs should be flexible, dynamic and open to objective review.

Due to obvious implications for the design of the Alternate Assessment, the Design Group adopted a set of guidelines for who would be eligible to participate in the Alternate Assessment. Basically, these eligibility guidelines restrict the Alternate Assessment to students who have a current IEP, have demonstrated cognitive and adaptive disabilities that prevent completion of the academic curricula, require specialized curriculum and methods, and are unable to complete a regular diploma program. It is anticipated that these criteria will restrict participation to approximately 2 to 4 percent of Delaware public school students.

The Design and Advisory Groups delineated 14 of the academic Content Standards in English language arts, mathematics, science, and social studies that could be adopted as written or could be modified (bridged) for the Alternate Assessment population. However, it was felt that many of the goals and objectives for students who were in "life skills" or "functional" programs were not addressed. Therefore, a preliminary set of Standards for Students in Functional Programs were developed by the Design Group and reviewed by the Advisory Committee. These new standards set high expectations for areas explicitly within functional programs. A format for the Standards has been adopted and a process for "bridging" to the academic Content Standards has been developed. Work is continuing on the integration of the standards for functional programs and the academic Content Standards.

Student Performance on the Delaware Student Testing Program

1.1.

b. The percentage of children with disabilities meeting the standards will increase.

c. The percentage of children with disabilities significantly below the standard will decrease.

Performance results from the first and second administration of the DSTP can be found in Appendix B, *Delaware Student Testing Program State Summary Report 1998 Administration* and *Delaware Student Testing Program 1999 Administration Revised State Summary Report*. These reports represent only a partial set of the total available data. More information and data may be obtained from the DSTP web site at http://www.doe.state.de.us/aab. School personnel have access to the web site and are encouraged to search for data pertinent to them and to their schools. The on-line reports allow school personnel to organize data and produce classroom reports for students in their building with a valid, aggregated score. Performance results for children with disabilities with valid, aggregated scores can also be disaggregated from these data. These data are not disaggregated for children with disabilities tested with accommodations resulting in a non-aggregated score.

Measures are being taken to assure that future performance results are reported in grades 3, 5, 8, and 10 for all children with disabilities, tested under all conditions, and for all Delaware schools, including special schools. However, in order to preserve personally identifiable information, children in disabilities categories with an N counts less than 15 are suppressed.

Tables 1, 2, and 3 are a summary of student performance on the DSTP mathematics, reading, and writing for 1998 and 1999. *(Delaware Department of Education, DSTP On-line Reports, 12/16/99, http://www.doe.state.de.us/aab)*

Table 1

Student Performance on the DSTP Mathematics

Students Assessed	*1998 Administration*	*1999 Administration*
Regular Education Grade 3		
N Count	7,227	7,453
Meets the Standard or Above	58.78%	67.11%
Below the Standard	41.22%	32.88%
Special Education Grade 3		
N Count	745	644
Meets the Standard or Above	15.83%	22.05%
Below the Standard	84.16%	77.95%
All Students Grade 3		
N Count	7,972	8,097
Meets the Standard or Above	54.76%	63.54%
Below the Standard	45.23%	36.47%

Table 1, Continued

Student Performance on the DSTP Mathematics

Students Assessed	1998 Administration	1999 Administration
Regular Education Grade 5		
N Count	7,089	7,434
Meets the Standard or Above	57.37%	60.43%
Below the Standard	42.63%	39.57%
Special Education Grade 5		
N Count	830	809
Meets the Standard or Above	8.79%	9.27%
Below the Standard	91.21%	90.73%
All Students Grade 5		
N Count	7,919	8,243
Meets the Standard or Above	52.28%	55.40%
Below the Standard	47.72%	44.60%
Regular Education Grade 8		
N Count	7,461	7,459
Meets the Standard or Above	39.51%	39.03%
Below the Standard	60.50%	60.97%
Special Education Grade 8		
N Count	774	768
Meets the Standard or Above	2.84%	4.43%
Below the Standard	97.16%	95.57%
All Students Grade 8		
N Count	8,235	8,227
Meets the Standard or Above	36.06%	35.80%
Below the Standard	63.95%	64.20%
Regular Education Grade 10		
N Count	6,748	7,045
Meets the Standard or Above	32.86%	32.30%
Below the Standard	67.14%	67.71%
Special Education Grade 10		
N Count	394	425
Meets the Standard or Above	1.52%	0.95%
Below the Standard	98.47%	99.06%
All Students Grade 10		
N Count	7,142	7,470
Meets the Standard or Above	31.12%	30.51%
Below the Standard	68.87%	69.50%

Table 2

Student Performance on the DSTP Reading

Students Assessed	1998 Administration	1999 Administration
Regular Education Grade 3		
N Count	7,221	7,447
Meets the Standard or Above	66.13%	72.74%
Below the Standard	33.87%	27.26%
Special Education Grade 3		
N Count	716	640
Meets the Standard or Above	15.23%	20.63%
Below the Standard	84.78%	79.38%
All Students Grade 3		
N Count	7,937	8,087
Meets the Standard or Above	61.54%	68.62%
Below the Standard	38.46%	31.39%
Regular Education Grade 5		
N Count	7,098	7,433
Meets the Standard or Above	64.48%	68.14%
Below the Standard	35.51%	31.87%
Special Education Grade 5		
N Count	812	811
Meets the Standard or Above	11.45%	14.06%
Below the Standard	88.55%	85.94%
All Students Grade 5		
N Count	7,910	8,244
Meets the Standard or Above	59.04%	62.81%
Below the Standard	40.96%	37.19%
Regular Education Grade 8		
N Count	7,486	7,443
Meets the Standard or Above	65.89%	67.58%
Below the Standard	34.10%	32.41%
Special Education Grade 8		
N Count	768	776
Meets the Standard or Above	11.20%	10.18%
Below the Standard	88.80%	89.82%
All Students Grade 8		
N Count	8,254	8,219
Meets the Standard or Above	60.81%	62.16%
Below the Standard	39.19%	37.84%
Regular Education Grade 10		
N Count	6,777	6,979
Meets the Standard or Above	61.81%	56.49%
Below the Standard	38.19%	43.52%
Special Education Grade 10		
N Count	410	419
Meets the Standard or Above	6.34%	7.40%
Below the Standard	93.66%	92.60%
All Students Grade 10		
N Count	7,187	7,398
Meets the Standard or Above	58.65%	53.71%
Below the Standard	41.35%	46.30%

Table 3

Student Performance on the DSTP Writing

Students Assessed	1998 Administration	1999 Administration
Regular Education Grade 3		
N Count	6,926	7,176
Meets the Standard or Above	58.97%	51.31%
Below the Standard	41.04%	48.69%
Special Education Grade 3		
N Count	586	507
Meets the Standard or Above	15.53%	12.43%
Below the Standard	84.47%	87.58%
All Students Grade 3		
N Count	7,512	7,683
Meets the Standard or Above	55.58%	48.74%
Below the Standard	44.42%	51.25%
Regular Education Grade 5		
N Count	6,729	6,938
Meets the Standard or Above	49.54%	54.69%
Below the Standard	50.46%	45.32%
Special Education Grade 5		
N Count	659	665
Meets the Standard or Above	10.17%	12.78%
Below the Standard	89.83%	87.22%
All Students Grade 5		
N Count	7,388	7,603
Meets the Standard or Above	46.02%	51.02%
Below the Standard	53.98%	48.98%
Regular Education Grade 8		
N Count	7,246	7,116
Meets the Standard or Above	59.11%	53.09%
Below the Standard	40.88%	46.90%
Special Education Grade 8		
N Count	688	617
Meets the Standard or Above	9.74%	7.78%
Below the Standard	90.26%	92.22%
All Students Grade 8		
N Count	7,934	7,733
Meets the Standard or Above	54.84%	49.48%
Below the Standard	45.16%	50.52%
Regular Education Grade 10		
N Count	6,422	6,378
Meets the Standard or Above	38.47%	38.18%
Below the Standard	61.54%	61.82%
Special Education Grade 10		
N Count	302	284
Meets the Standard or Above	4.64%	2.82%
Below the Standard	95.37%	97.18%
All Students Grade 10		
N Count	6,724	6,662
Meets the Standard or Above	36.94%	36.68%
Below the Standard	63.06%	63.33%

Graduates

1.2.

a. The percentage of children with disabilities completing grade 12 with a high school diploma will increase.

b. The percentage of children with disabilities receiving a diploma compared to a certificate of attendance will increase.

The Class of 1998 consisted of 5,686 regular education students and 438 special education students, while the Class of 1999 consisted of 5,703 regular education students and 481 special education students.

Table 4 below shows for each year the number of students who graduated with a diploma or certificate of performance.

Table 4

1998 Graduates		1999 Graduates	
Regular Education	5,686	Regular Education	5,703
Diploma	5,678	Diploma	5,681
Certificate	8	Certificate	22
June	5,550	June	5,652
Summer	136	Summer	51
Special Education	438	Special Education	481
Diploma	378	Diploma	413
Certificate	60	Certificate	68
June	429	June	476
Summer	9	Summer	5

Table 4 shows that for the Class of 1998, 7.2% were children with disabilities. For the Class of 1999, 7.8% were children with disabilities, an increase of .6% from the previous year.

These data indicate children with disabilities are not only staying longer in school, but have increased graduation rates and the proportion receiving high school diplomas.

However, the reader should be cautioned when interpreting these results. There are significant discrepancies between the number of students receiving special education services in 9th grade and 12th grade. Based on current state data we are not able to explain these discrepancies. We are currently exploring these issues in more detail.

Dropouts

1.2.

c. The annual dropout rate will decrease at the secondary level.

The Technology Management and Design Group of the Delaware Department of Education collect data annually from secondary schools regarding students who drop out of school.

During the 1997-1998 school year, 1,562 out of 33,188 students enrolled in grades 9 through 12 dropped out of school resulting in a statewide dropout rate of 4.7%. (*Delaware Dropouts 1997-1998 Summary Statistics, 1998*) Of the 3,415 special education students enrolled in grades 9 through 12, children with disabilities dropping out of school (n=267) represented 7.82%.

However, during the 1998-1999 school year, 1,361 out of 33,317 students enrolled in grades 9 through 12 dropped out of school resulting in a statewide dropout rate of 4.1% (*Delaware Dropouts 1998-1999 Summary Statistics, 1999*), a decrease of .6% from the previous year. Children with disabilities dropping out of school (n=242) represented approximately 6.9% of the 3,505 special education students enrolled in grades 9 through 12, a decrease of almost 1% from the previous year.

Goal #2: Improve participation in post-secondary education and employment.

2.1. The percentage of children with disabilities going on to 2 or 4-year colleges will increase.

2.2. The percentage of children with disabilities employed within 2 years of leaving school will increase.

A post-graduate follow-up study was conducted on a 1995-1998 cohort to determine where these children with disabilities are today. These data are currently being analyzed for dissemination to Local Education Agencies for additional analyses.

Delaware's new pupil accounting system scheduled for full implementation during the 2000-2001 school year, allows for cohort tracking of all students entering grade 9. This will assure future reporting and analyses of additional post-graduate follow-up studies.

Goal #3: Children with disabilities 14 and older will take courses and receive services that will facilitate the transition from school to work or post-secondary education.

3.1. The percentage of secondary level children with disabilities participating in vocational education will increase.

This information will be available from Delaware's new pupil accounting system. A baseline will be established during the 2001-2002 school year.

Goal #4: **All children with disabilities will receive appropriate services that address their individual needs, including related services and assistive technology.**

4.1.

- *a. The percentage of parents satisfied with their child's education will increase.*
- *b. The percentage of parents (children) responding they were actively involved in decision-making will increase.*
- *c. The percentage of parents (children) responding they were treated with courtesy and respect will increase.*

4.2.

- *a. The percentage of teachers reporting that children with disabilities are receiving the services needed will increase.*
- *b. The percentage of teachers reporting that they have sufficient instructional materials/supplies to provide FAPE will increase.*

Established indicators will be built into the revisions of the state level monitoring system. Implementation is tentatively scheduled for the 2002-2003 school year.

Long Range Suspensions and Expulsions

Goal #5: **Schools will provide appropriate behavioral interventions for children with disabilities whose behavior impedes the learning of themselves or others.**

5.1. The percentage of children with disabilities receiving long-range suspensions or expulsions will decrease.

5.2. The number of days children with disabilities are suspended will decrease.

As a result of the 1997 Amendments to the Individuals with Disabilities Education Act (IDEA), an annual report entitled *Report of Children with Disabilities Subject to Unilateral Removal, Removal Based on a Hearing Officer Determination Regarding Likely Injury, or Long Term Suspension/Expulsion* is required for submission. These data were generated and submitted for the first time by the Delaware Department of Education to the U.S. Department of Education, Office of Special Education Programs (OSEP) based on the 1998-1999 student conduct data.

Children with disabilities ages three to twenty-one, according to their age as of the December 1, 1998 Child Count were reported by disability and race/ethnicity. These data revealed an unduplicated count of 217 children with disabilities who were subject to unilateral removal for drug or weapon offenses and/or long-term suspension/expulsion.

Of the 217 offenders, students with learning disabilities accounted for 78%, while mental retardation represented 13%, physically impaired 6% (students with ADD/ADHD are included in this category), emotional disturbance 5.5%, and hearing impairments 0.5%. Race/ethnicity indicates 65% were African American, 26% Caucasian, and 9% represented "other" minority race/ethnicity groups.

However, the reader should be cautioned when interpreting these data. Data are based on an unduplicated count of total special education students who were subject to unilateral removal for drug or weapon offenses and/or long-range suspension/expulsion. A lack of complete identification and duration of all offenders (regular education and special education offenders) may potentially result in a margin of error.

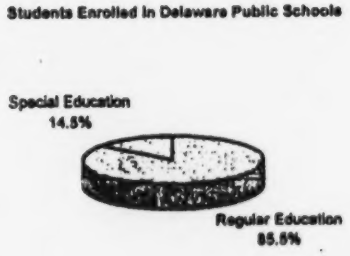
Corrective action for the 1999-2000 school year's data collection has been piloted and is being implemented in January 2000. These data will be collected based on the State Student Identification Number, assuring complete and accurate identification and duration of all students subject to the referenced offenses. This will allow for future reporting and analyses by Local Education Agency, disability category, and other pertinent information.

5.3. The percentage of children with disabilities committing Title 14, Delaware Code, §4112 incidents will decrease.

Preliminary indications from data to be included in the *School Climate and Discipline Final Report 1998-1999 Academic Year* pertaining to children with disabilities involved as offenders in Title 14, *Delaware Code*, §4112 incidents follows. The reader should be cautioned that the final report is not anticipated for release until March 2000. These data serve as a baseline and will be reported annually and in future Biennial Performance Reports.

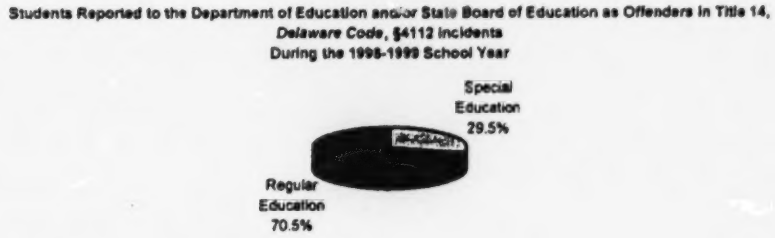
There were 112,090 students enrolled in Delaware public schools during the 1998-1999 school year. Of the total public population, students receiving special education services (n=16,233) as of the December 1, 1998 Child Count represented 14.5%. Chart 1 below reflects these data.

Chart 1



Of the 112,090 students enrolled, there were 1,872 students reported during the 1998-1999 school year, to the Department of Education and/or State Board of Education as offenders in Title 14, *Delaware Code*, §4112 incidents. Children with disabilities (n=553) represent 29.5% of the 1,872 offenders reported. See Chart 2 below.

Chart 2


Students Reported to the Department of Education and/or State Board of Education as Offenders in Title 14, Delaware Code, §4112 Incidents During the 1998-1999 School Year
Special Education 29.5%
Regular Education 70.5%

These data reveal that a disproportionate number of children with disabilities are reported as offenders. Specifically, children with disabilities represent almost 15% of students enrolled in Delaware public schools and almost 30% were reported as offenders in Title 14, *Delaware Code*, §4112 incidents.

Of the 553 special education offenders, 65.3% were students with learning disabilities, while students with emotional disturbance represented 13.7%, mental retardation 12.3%, physically impaired 6.5% (students with ADD/ADHD are included in this category), and "other" reported disability categories 2.2%*. Table 5 below represents the 553 special education offenders by disability.

Table 5

Disability	Number of Special Education Offenders	% of Special Education Offenders By Disability to the Total Number of Special Education Offenders
Mental Retardation	68	12.3
Emotional Disturbance	76	13.7
Learning Disabilities	361	65.3
Physically Impaired**	36	6.5
"Other" Reported Disability Categories*	12	2.2
TOTAL	553	100%

*Disability categories with N counts less than five are combined as "other" reported disability categories.
**Students with ADD/ADHD are included in this category.

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Further disaggregation of student offenders by regular education and special education is shown below in Table 6, by gender and Table 7, by race.

Table 6

Gender	Number of Special Education Offenders	% of Special Education Offenders to the Total Number Special Education Offenders	Number of Regular Education Offenders	% of Regular Education Offenders to the Total Number of Regular Education Offenders
Female	90	16.3	339	25.7
Male	463	83.7	980	74.3
TOTAL	553	100%	1,319	100%

These data in Table 6 indicate a considerably larger percentage of male offenders than female offenders for both regular education and special education.

Table 7

Race	Number of Special Education Offenders	% of Special Education Offenders to the Total Number of Special Education Offenders	Number of Regular Education Offenders	% of Regular Education Offenders to the Total Number of Regular Education Offenders
American Indian	*	*	*	*
African American	335	60.6	651	49.4
Asian	*	*	10	0.7
Hispanic	29	5.2	55	4.2
Caucasian	187	33.8	599	45.4
TOTAL	553	100%	1,319	100%

*N counts less than 5 are suppressed.

Table 7 reveals a disproportionate percentage of special education offenders who are African American. While African Americans represent 39% of the special education population, they represent almost 61% of the offenders with disabilities.

Overall, these data reinforce the fact that a disproportionate number of children with disabilities are reported to the Department of Education and/or State Board of Education as offenders in Title 14, *Delaware Code*, §4112 incidents. Further, there is an imbalance of males and African Americans reported as offenders.

Educational Settings

Goal #6: To the maximum extent appropriate children with disabilities are educated with children who are non-disabled. (Corrective Action Plan requirement)

6.1. The percentage of children with disabilities being served in placements with their non-disabled peers will increase.

Table 8

Children with Disabilities Ages 3 – 5 By Educational Setting Based on the December 1, 1997 & December 1, 1998 Child Count		
Educational Setting	**% of Total Ages 3 – 5 SpEd Population Based on 12/1/97**	**% of Total Ages 3 – 5 SpEd Population Based on 12/1/98**
Early Childhood Setting	46.02%	54.57%
Early Childhood Special Education Setting	20.94%	18.51%
Part-Time EC /Part-Time EC SpEd Setting	26.81%	21.81%
Home	0.12%	0.60%
Itinerant Service Outside the Home	0.80%	1.02%
Residential Facility	0.06%	0.06%
Separate School	5.25%	3.43%
Total	100.00%	100.00%

Data indicate increases from 1997 to 1998 in the percentage of children with disabilities ages 3 – 5 served in placements with their non-disabled peers.

Table 9

Children with Disabilities Ages 6 – 21 By Educational Setting Based on the December 1, 1997 & December 1, 1998 Child Count		
Educational Setting	**% of Total Ages 6 – 21 SpEd Population Based on 12/1/97**	**% of Total Ages 6 - 21 SpEd Population Based on 12/1/98**
Outside the Regular Class Less Than 21% Of Day	23.37%	28.35%
Outside the Regular Class At Least 21% Of Day But No More Than 60% Of Day	62.26%	56.91%
Outside Regular Class More Than 60% Of Day	8.34%	9.06%
Homebound/Hospital Placement	0.56%	0.51%
Private Residential Facility	0.45%	0.36%
Private Separate Facility	0.06%	0.05%
Public Residential Facility	0.49%	0.46%
Public Separate Facility	4.47%	4.30%
Total	100.00%	100.00%

Data again indicate increases from 1997 to 1998 in the percentage of children with disabilities ages 6 – 21 served in placements with their non-disabled peers except for a slight increase in students receiving special education services outside the regular classroom more than 60% of the day. These data are being embedded into the state monitoring system that will allow for analyses on the Local Education Agency level.

Disproportionality Based On Race

Identification of Children as Children with Disabilities

Data are collected annually for all students through the September 30 Enrollment Count. This count is based on full-time equivalency. All children with disabilities, whether they are full-time or part-time are also counted annually on the December 1 Child Count. Tables 10 and 11 below show an examination of these data for the 1997-1998 and 1998-1999 school years based on race/ethnicity.

Table 10

School Year 1997 - 1998					
Total Enrollment (Based on September 30 Count - FTE)	**Total Special Education Population** (Based on December 1 Child Count)		**% of Special Education Population to Total Enrollment**		
111,960	16,032		14.3%		
Student Population	**American Indian**	**African American**	**Asian**	**Hispanic**	**Caucasian**
Total Enrollment Based on September 30 Count - FTE N = 111,960	224	33,700	2,127	5,150	70,759
% of Total Enrollment By Race/Ethnicity	0.2%	30.1%	1.9%	4.6%	63.2%
Special Education Population Based on December 1 Child Count N = 16,032	30	6,327	82	736	8,857
% of Special Education By Race/Ethnicity	0.2%	39.5%	0.5%	4.6%	55.2%

Table 11

School Year 1998 - 1999					
Total Enrollment (Based on September 30 Count - FTE)	**Total Special Education Population** (Based on December 1 Child Count)		**% of Special Education Population to Total Enrollment**		
113,082	16,233		14.4%		
Student Population	**American Indian**	**African American**	**Asian**	**Hispanic**	**Caucasian**
Total Enrollment Based on September 30 Count - FTE N = 113,082	226	34,377	2,375	5,541	70,563
% of Total Enrollment By Race/Ethnicity	0.2%	30.4%	2.1%	4.9%	62.4%
Total Special Education Population Based on December 1 Child Count N = 16,233	32	6,301	91	788	9,021
% of Special Education By Race/Ethnicity	0.2%	38.8%	0.5%	4.9%	55.6%

There were 111,960 students enrolled in Delaware public schools as of the September 30, 1997, enrollment count. Of the total public enrollment, children with disabilities on December 1, 1997 (n = 16,032) represented 14.3%. In comparison, the September 30, 1998, enrollment count reported 113,082 students enrolled in Delaware public schools and children with disabilities on December 1, 1998 (n = 16,233) represented 14.4% of the total public enrollment.

Further examination of each school year indicates proportionate identification of children as children with disabilities by race/ethnicity. While, minorities represent approximately 45% of the special education population on December 1 of each year, they represent about 37% of total enrollment reported on September 30 of each year.

These data are being embedded into the state monitoring system that will allow for analyses on the Local Education Agency level.

In future reporting, total student enrollment and the special education population will be based on December 1 of that given year. The state's new pupil accounting system, tentatively scheduled for full implementation during the 2000-2001 school year will allow for total student enrollment to be extracted on any given date. This will assure an alignment between total student enrollment and the December 1 Child Count.

Identification of Children as Children with a Particular Impairment

Data collected annually for the December 1 Child Count requires states to report on children with disabilities ages 6 – 21 by disability and race/ethnicity. Tables 12 and 13 report data for 1997 and 1998.

Table 12

Children with Disabilities Ages 6 - 21 By Disability Based on the December 1, 1997 & December 1, 1998 Child Counts		
	December 1, 1997 (Total N = 14,413)	December 1, 1998 (Total N = 14,569)
Disability	**% of Total N**	**% of Total N**
Educable Mentally Handicapped	9.17%	9.42%
Emotional Disturbance	4.24%	4.19%
Learning Disability	63.51%	62.31%
Trainable Mentally Handicapped	2.97%	3.07%
Severely Mentally Handicapped	1.10%	1.08%
Physically Impaired	4.54%	5.12%
Hard of Hearing - Partially Deaf	1.55%	1.45%
Blind	0.15%	0.25%
Partially Sighted	0.27%	0.17%
Autistic	1.27%	1.44%
Deaf & Blind	0.31%	0.32%
Speech	10.91%	11.13%
Traumatic Brain Injury	0.03%	0.03%
Total	100.00%	100.00%

Table 13

Children with Disabilities Ages 6 - 21 By Race/Ethnicity and Disability Based on the December 1, 1997 & December 1, 1998 Child Counts			
Disability	**Race/Ethnicity**	**1997 % of Race/Ethnicity to Total Disability Category**	**1998 % of Race/Ethnicity to Total Disability Category**
Educable Mentally Handicapped		1321	1373
	American Indian	0.1%	0.0%
	African American	59.3%	57.7%
	Asian	0.5%	0.5%
	Hispanic	4.8%	5.7%
	Caucasian	35.3%	36.1%
Emotional Disturbance		611	611
	American Indian	0.0%	0.3%
	African American	43.7%	44.5%
	Asian	1.0%	0.7%
	Hispanic	2.9%	1.6%
	Caucasian	52.4%	52.9%

Table 13 – Continued

Children with Disabilities Ages 6 - 21 By Race/Ethnicity and Disability
Based on the December 1, 1997 & December 1, 1998 Child Counts

Disability	Race/Ethnicity	1997 % of Race/Ethnicity to Total Disability Category	1998 % of Race/Ethnicity to Total Disability Category
Learning Disability		9153	9078
	American Indian	0.3%	0.3%
	African American	43.2%	42.8%
	Asian	0.2%	0.3%
	Hispanic	4.6%	4.9%
	Caucasian	51.7%	51.7%
Trainable Mentally Handicapped		428	447
	American Indian	0.0%	0.0%
	African American	36.2%	37.4%
	Asian	1.2%	1.3%
	Hispanic	4.9%	6.7%
	Caucasian	57.7%	54.6%
Severely Mentally Handicapped		159	158
	American Indian	0.0%	0.0%
	African American	40.9%	36.7%
	Asian	1.9%	2.5%
	Hispanic	1.9%	3.2%
	Caucasian	55.3%	57.6%
Physically Impaired		654	746
	American Indian	0.0%	0.0%
	African American	28.6%	29.2%
	Asian	0.8%	0.7%
	Hispanic	3.5%	4.3%
	Caucasian	67.1%	65.8%
Hard of Hearing – Partially Deaf		223	211
	American Indian	0.0%	0.0%
	African American	28.3%	29.9%
	Asian	1.8%	2.8%
	Hispanic	8.5%	8.1%
	Caucasian	61.4%	59.2%
Blind		21	37
	American Indian	0.0%	2.7%
	African American	23.8%	16.2%
	Asian	9.5%	5.4%
	Hispanic	4.8%	5.4%
	Caucasian	61.9%	70.3%

Table 13 – Continued

Children with Disabilities Ages 6 - 21 By Race/Ethnicity and Disability Based on the December 1, 1997 & December 1, 1998 Child Counts

Disability	Race/Ethnicity	1997 % of Race/Ethnicity to Total Disability Category	1998 % of Race/Ethnicity to Total Disability Category
Partially Sighted		39	25
	American Indian	0.0%	0.0%
	African American	20.5%	24.0%
	Asian	0.0%	4.0%
	Hispanic	5.1%	8.0%
	Caucasian	74.4%	64.0%
Autistic		183	210
	American Indian	0.0%	0.0%
	African American	33.9%	29.5%
	Asian	1.1%	1.4%
	Hispanic	1.6%	1.9%
	Caucasian	63.4%	67.1%
Deaf & Blind		45	47
	American Indian	0.0%	0.0%
	African American	28.9%	31.9%
	Asian	0.0%	0.0%
	Hispanic	8.9%	8.5%
	Caucasian	62.2%	59.6%
Speech		1572	1621
	American Indian	0.2%	0.2%
	African American	18.5%	18.3%
	Asian	1.1%	1.2%
	Hispanic	4.3%	4.5%
	Caucasian	76.0%	75.8%
Traumatic Brain Injury		4	5
	American Indian	0.0%	0.0%
	African American	50.0%	40.0%
	Asian	0.0%	0.0%
	Hispanic	0.0%	0.0%
	Caucasian	50.0%	60.0%

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Placement of Children In A Particular Educational Setting

Table 14 shows children with disabilities ages 3 - 5 who were reported in the following educational settings during the 1997 – 1998 and 1998 – 1999 school years. These data are being embedded into the state monitoring system that will allow for analyses on the Local Education Agency level.

Table 14

Children with Disabilities Ages 3 - 5
By Race/Ethnicity and Educational Setting
Based on the December 1, 1997 & December 1, 1998 Child Counts

Educational Setting	Race/Ethnicity	1997 % of Race/Ethnicity to Total Educational Setting	1998 % of Race/Ethnicity to Total Educational Setting
Early Childhood Setting		745	908
	American Indian	0.1%	0.0%
	African American	24.5%	24.6%
	Asian	0.1%	0.4%
	Hispanic	4.0%	2.7%
	Caucasian	71.3%	72.3%
Early Childhood SpEd Setting		339	308
	American Indian	0.0%	0.3%
	African American	31.6%	27.2%
	Asian	1.8%	0.6%
	Hispanic	12.4%	12.9%
	Caucasian	54.2%	59.0%
Part-Time EC /Part-Time EC SpEd Setting		434	363
	American Indian	0.0%	0.2%
	African American	35.0%	34.7%
	Asian	0.2%	0.2%
	Hispanic	3.2%	3.0%
	Caucasian	61.6%	61.9%
Home		2	10
	American Indian	0.0%	0.0%
	African American	0.0%	10.0%
	Asian	0.0%	0.0%
	Hispanic	0.0%	10.0%
	Caucasian	100.0%	80.0%
Itinerant Service Outside the Home		13	17
	American Indian	0.0%	0.0%
	African American	15.4%	23.5%
	Asian	0.0%	0.0%
	Hispanic	15.4%	11.8%
	Caucasian	69.2%	64.7%

Table 14 - Continued

Children with Disabilities Ages 3 - 5
By Race/Ethnicity and Educational Setting
Based on the December 1, 1997 & December 1, 1998 Child Counts

Educational Setting	Race/Ethnicity	1997 % of Race/Ethnicity to Total Educational Setting	1998 % of Race/Ethnicity to Total Educational Setting
Residential Facility		1	1
	American Indian	0.0%	0.0%
	African American	100.0%	100.0%
	Asian	0.0%	0.0%
	Hispanic	0.0%	0.0%
	Caucasian	0.0%	0.0%
Separate School		85	57
	American Indian	1.2%	0.0%
	African American	28.2%	29.8%
	Asian	2.4%	3.5%
	Hispanic	10.6%	7.0%
	Caucasian	57.6%	59.7%

Table 15 shows children with disabilities ages 6 -21 who were reported in the following educational settings during the 1997 - 1998 and 1998 - 1999 school years. These data are being embedded into the state monitoring system that will allow for analyses on the Local Education Agency level.

Table 15

Children with Disabilities Ages 6 - 21
By Race/Ethnicity and Educational Setting
Based on the December 1, 1997 & December 1, 1998 Child Counts

Educational Setting	Race/Ethnicity	1997 % of Race/Ethnicity to Total Educational Setting	1998 % of Race/Ethnicity to Total Educational Setting
Outside the Regular Class Less Than 21% Of Day		3369	4130
	American Indian	0.2%	0.2%
	African American	35.6%	32.9%
	Asian	0.4%	0.7%
	Hispanic	3.7%	3.9%
	Caucasian	60.1%	62.4%

Table 15 - Continued

Children with Disabilities Ages 6 - 21
By Race/Ethnicity and Educational Setting
Based on the December 1, 1997 & December 1, 1998 Child Counts

Educational Setting	Race/Ethnicity	1997 % of Race/Ethnicity to Total Educational Setting	1998 % of Race/Ethnicity to Total Educational Setting
Outside the Regular Class At Least 21% Of Day But No More Than 60% Of Day		8974	8291
	American Indian	0.2%	0.2%
	African American	41.3%	42.4%
	Asian	0.5%	0.5%
	Hispanic	4.4%	5.0%
	Caucasian	53.6%	51.9%
Outside Regular Class More Than 60% Of Day		1202	1320
	American Indian	0.0%	0.1%
	African American	48.1%	46.1%
	Asian	0.4%	0.6%
	Hispanic	6.8%	7.1%
	Caucasian	44.7%	46.1%
Homebound/Hospital Placement		81	75
	American Indian	0.0%	0.0%
	African American	40.7%	40.0%
	Asian	0.0%	0.0%
	Hispanic	4.9%	5.3%
	Caucasian	54.3%	54.7%
Private Residential Facility		65	53
	American Indian	0.0%	0.0%
	African American	36.9%	39.6%
	Asian	3.1%	3.8%
	Hispanic	0.0%	1.9%
	Caucasian	60.0%	54.7%
Public Residential Facility		70	67
	American Indian	0.0%	0.0%
	African American	68.6%	61.2%
	Asian	0.0%	0.0%
	Hispanic	1.4%	3.0%
	Caucasian	30.0%	35.8%
Private Separate Facility		8	7
	American Indian	0.0%	0.0%
	African American	0.0%	0.0%
	Asian	0.0%	0.0%
	Hispanic	0.0%	0.0%
	Caucasian	100.0%	100.0%

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Table 15 – Continued

Children with Disabilities Ages 6 - 21
By Race/Ethnicity and Educational Setting
Based on the December 1, 1997 & December 1, 1998 Child Counts

Educational Setting	Race/Ethnicity	1997 % of Race/Ethnicity to Total Educational Setting	1998 % of Race/Ethnicity to Total Educational Setting
Public Separate Facility		644	626
	American Indian	0.0%	0.2%
	African American	42.4%	42.7%
	Asian	1.2%	0.8%
	Hispanic	5.7%	5.1%
	Caucasian	50.6%	51.3%

Activities and Expenditures

Summarized below in Tables 16 and 17 are the major activities and expenditures for IDEA Part B and IDEA 619 that occurred during Fiscal Year 98, 99 grant periods.

Table 16

IDEA Part B	FY98	FY99
Adult Education	15,000.00	15,000.00
Alternate Assessment	54,595.00	351,570.00
Behavioral Health		42,413.00
Corrections Program	232,948.00	167,911.00
DE Learning Resource Center	207,378.00	197,733.00
Due Process	26,000.00	10,000.00
Implementing Activities for IDEA '97	41,251.00	60,000.00
Inclusion Project	118,493.00	143,649.00
Instructional Support Team Initiative		44,900.00
Miscellaneous	24,668.00	115.00
Parent Information Center	33,075.00	
Peer Review	9,080.00	10,000.00
Professional Development	107,913.00	125,875.00
Program & Student Support	173,428.00	164,283.00
SPARC - Mediation	48,270.00	48,514.00
Total	$1,092,099.00	1,381,963.00

Table 17

IDEA 619	FY98	FY99
Alternate Assessment		35,000.00
DE Early Childhood Center	26,500.00	
DE Learning Resource Center	9,516.00	
DE Student Testing Program		
Hold Harmless		60,373.00
Implementing Activities for IDEA '97	287.00	605.00
Inclusion Project	21,096.00	29,732.00
Miscellaneous		825.00
Professional Development	61,396.00	51,945.00
Program & Student Support	18,158.00	20,492.00
SPARC - Mediation	31,911.00	
Total	168,864.00	198,972.00

The information reported is based on major professional development and technical assistance activities that the Delaware Department of Education engaged in with its state set-aside moneys. This does not reflect total expenditures and groupings were provided as estimates.

Currently, funds are recorded on budget sheets that are identified by an allocation identification and account designation. Preparation for this biennial performance report resulted in a need for a more detailed tracking system. A new tracking system will be developed to assure ease of access to funding information for future reporting.